

Resolution #2017-8

Emmet County Weed Control Policy/No Spray Program

Imposed by Chapter 314 and 317 of the Code of Iowa, Emmet County is required to control noxious weeds. Additionally, Chapter 319 of the Code of Iowa also imposes upon the county the duty to remove obstacles within the right-of-way. Many weeds growing in the right-of-way create obstacles to vision, and if untreated, may create hazardous obstacles for errant vehicles. Spraying weeds and brush with herbicides is the most efficient manner of controlling the growth of noxious weeds and brush within county right-of-way.

Annually, Emmet County will spray county right-of-way with approved herbicides in order to control noxious weeds and brush. This includes in front of residences, unless they have been previously mowed. Despite the care exercised by the people conducting roadside spraying, occasionally herbicide vapor can drift onto adjacent properties. Errant herbicide can burn, damage or kill flowers, ornamental plants or fruit trees close to the right-of-way line. Some landowners will prefer that the county not spray in front of their residence. Roadside spraying may also not be in the best interest for others due to organic farms status or bee keepers.

In order to avoid spraying herbicides in undesired locations, Emmet County shall annually issue no spray permits to its property owners. Each spring, Emmet County will place a press release in the official area newspapers for the enrollment of locations into the no spray program. Requests will be taken and approved by any staff member of the Emmet County Engineer's Office. Once approved, permittee's shall be issued signs to be installed at the requested location. These permits will be valid for the remainder of the calendar year in which they are issued. The permit is required for the participation in the no spray program, and signs must be supplied by Emmet County. Permits will be accepted until April 1st each year. Signs that do not conform to county standards will not be accepted

If landowners opt for the no spray program, they shall be responsible for the destruction of weeds and brush within the no spray area. If, in the opinion of the weed commissioner, the landowner does not control weeds, they shall be sent written notice. This notice shall allow for a 10 day period in which the landowner may control noxious weeds and brush themselves. After this 10 day period, the county will destroy any weeds and recover the cost from the landowner.

No spray signs shall be installed along the right-of-way or fence line adjacent to the landowner's property and oriented at 90 degrees to the roadway. Height of the no spray signs shall be such that they are above any vegetation in the road ditch. Landowners are responsible for the maintenance of their no spray signs. The county is not liable for spraying areas that are not properly marked in compliance with this program.

The attached no spray program is approved this 4th day of April,
2017, by Emmet County Engineer's Office

Beverly Juhl
Beverly Juhl, Chairperson

Emmet County "No Spray" Permit

Name: _____ Date: _____

Address: _____

City/State/Zip Code: _____

Phone: _____ Cell: _____

Number of Signs: _____

Location Description: _____

Permit valid through _____

Permit is subject to below conditions:

- 1.) Permittee is responsible for completing their own One Call required for installation of signs.
- 2.) Signs shall be installed and maintained according to Emmet County No Spray Program.
- 3.) Permittee agrees to pay for each sign and for metal post. If signs and posts are in good condition, signs and posts may be reused.
- 4.) Permittee shall control noxious weeds and brush within "No Spray" sign locations. Area extends from roadway shoulder to right-of-way line.
- 5.) Permittee shall perform weed control operations at effective times and intervals to obtain the best possible control of noxious weeds and brush.
- 6.) Permittee agrees to plant sensitive garden plants, shade and fruit trees, shrubs, ornamental plants and other species that may be susceptible to spray drift at a reasonably safe distance away from right-of-way areas subject to Emmet County's noxious weed spraying control operations.

Permittee: _____

Engineer's Office Representative: _____